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DAE  
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Attorney Docket No. 5649-1200

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Park et al.

Confirm. No.: 9654

Serial No.: 10/780,245

Group Art Unit: 2812

Filed: February 17, 2004

For: **METHODS OF FABRICATING MOS FIELD EFFECT TRANSISTORS WITH  
POCKET REGIONS**

Date: May 18, 2004

Office of Patent Legal Administration  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO ACCORD THE PROPER FILING DATE**

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicants hereby petition to grant the proper filing date of February 17, 2004 rather than February 18, 2004, as the application was deposited as "Express Mail" in the U.S. Postal Service on February 17, 2004. The following is enclosed as evidence that February 17, 2004 is the correct filing date for the application, which was filed properly under 37 C.F.R. § 1.10:

1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date on Page 2;
2. A true and accurate copy of the stamped Express Mail Receipt, along with a copy of the USPS-Track & Confirm from the web page, showing "acceptance" or deposit with the USPS on February 17, 2004 at 5:37 p.m.; and
3. True and accurate copies of our return post card and the official filing receipt for this application, sent by the United States Patent and Trademark Office, showing that Applicants were improperly given the filing date of February 18, 2004 instead of the Express Mail date of February 17, 2004.

This petition is being filed promptly after Applicants became aware of the improperly accorded filing date. Accordingly, Applicants respectfully request the granting of February 17, 2004 as the filing date pursuant to 37 CFR § 1.10.

As applicants properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505, this petition is being filed due to error on the part of the USPTO. Accordingly, Applicants believe that no fee is due; however,

In re: Park et al.  
Serial No.: 10/780,245  
Filed: February 17, 2004  
Page 2 of 2

the Commissioner is authorized to charge any deficiency or credit any overpayment to  
Deposit Account No. 50-0220.

Respectfully submitted,




Timothy J. O'Sullivan  
Registration No. 35,632

USPTO Customer No. 20792  
Myers Bigel Sibley & Sajovec, P.A.  
Post Office Box 37428  
Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
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**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on May 18, 2004.



Traci A. Brown



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 5649-1200

DATE: February 17, 2004

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER  
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- ☒ a patent application  
☐ a Continuation ☐ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: \_\_\_\_\_; filed \_\_\_\_\_, the disclosure of which is incorporated herein by reference in its entirety.  
☐ and claims the benefit of Provisional Application No. \_\_\_\_\_; filed \_\_\_\_\_.

Inventor(s) or Application Identifier:

**Chang-hyun Park** – Kyungki-do, Republic of Korea  
**Young-gun Ko** – Kyungki-do, Republic of Korea  
**Chang-bong Oh** – Kyungki-do, Republic of Korea  
**Hee-sung Kang** – Kyungki-do, Republic of Korea  
**Sang-jin Lee** – Seoul, Republic of Korea

Entitled: **METHODS OF FABRICATING MOS FIELD EFFECT TRANSISTORS WITH  
POCKET REGIONS**

Myers Bigel Sibley & Sajovec, P.A.  
P. O. Box 37428  
Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
Facsimile: (919) 854-1401  
Customer No. 20792

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 13 pages of Specification (including 15 claims)
3. ☒ 7 sheets of Formal Drawings (35 USC 113)
4. ☐ Oath or Declaration
  - a. ☐ newly executed (*original or copy*)
  - b. ☐ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*)) [Note Box 6 Below]
  - c. ☐ DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☐ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
7. ☐ Microfiche Computer Program (*Appendix*)


8. ☐ Assignment papers (cover sheet(s) and document(s))
9. ☐ Applicant claims small entity status. See 37 CFR § 1.27.
10. ☒ Information Disclosure Statement, PTO-1449, and 1 reference(s) cited
11. ☐ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
12. ☐ English Translation Document
13. ☒ Certified Copy of Korean Application No. 10-2003-0011356, filed February 24, 2003
14. ☐ Sequence Listing/ Sequence Listing Diskette
  - a. ☐ computer readable copy
  - b. ☐ paper copy
  - c. ☐ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. ☐ Deletion of Inventor(s) (Signed statement attached deleting inventor(s) name in the prior application. See 37 CFR 1.63(d)(2) and 1.33(b).
18. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form.
19. ☐ Other:

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate      Fee	Large Entity Rate      Fee
BASIC FEE			\$385.00	\$770.00
TOTAL CLAIMS	15 - 20 =	0	x 09 = \$	x 18 = \$.00
INDEP CLAIMS	1 - 3 =	0	x 43 = \$	x 86 = \$.00
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 145 = \$	+ 290 = \$
<i>If the difference in Col. 1 is less than zero, Enter "0" in Col. 2</i>			Total \$	Total \$1054.00

- ☐ A check in the amount of \$      to cover the filing fee is enclosed.
- ☐ A check in the amount of \$ is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
- ☒ Please charge my Deposit Account No. 50-0220 in the amount of \$770.00.
- ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
  - b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

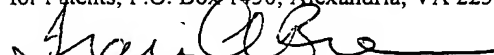
  
 Timothy J. O'Sullivan  
 Registration No. 35,632

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 Traci A. Brown

PE JC186

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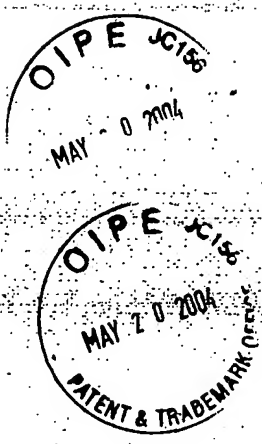
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*M.S. Patent Application*  
Commissioner for Patents  
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Alexandria, VA 22313-1450

*T80/H* Date: 2/17/04  
03-01-04 Doc. No. 5649-1200  
Serial No. 149  
Inventor: Park et al.

Sir: Kindly acknowledge receipt of the accompanying items listed below  
by placing your receiving stamp hereon and return mailing:

- ☒ Application Transmittal and:
- ☒ Specification pages 13
- ☒ No. of Claims 15
- ☐ Declaration & POA
- ☐ Assignment and Fee
- ☒ Small Entity Statement
- ☒ Formal Drawings/ 7 sheets
- ☒ Associate Power of Attorney
- ☒ Exp. Mail ☐ 1st Class Mail

- ☒ Check \$
- ☒ IDS & PTO-1449 & 1 refs.
- ☐ Amendment & Amend. Transmittal
- ☐ Preliminary Amendment
- ☐ Issue Fee
- ☐ Brief
- ☒ Appeal
- ☒ Submittal of Priority Doc.

Other: \_\_\_\_\_

Respectfully submitted,  
MYERS BIGEL SIBLEY & SAJOVEC, P.A.  
Attorneys for Applicant

17548 U.S. PTO  
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